IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

Summons for Judgment No.270 of 2004

in

Summary Suit No 3266 of 2003

VNS Industries Pvt Ltd.. plaintiffs

vs

BPL Engineering Limited.. defendants

Mr. K N Kore for plaintiffs

Mr.K P Anilkum,ar for defendants

CORAM: S.J.VAZIFDAR J.

Dated 25.l.2005

P C:

. The suit is filed to recover the amount of Rs.9,89,9ll.28 together with interst on Rs.9,47,283.52 from the date of filing of the suit. Plaintiffs had admittedly sold and delivered goods from time to time to the defendants. The defendant admtitedly received and utilised the goods. The defendant has admittedly not made any payment for the same. By letter dated l0.4.2003 (Exhibit D to the plaint) the defendant expressly confirmed that

the balance amount due and payable by the defendant to the plaintiff as per its books of account was Rs.9,47,283.52.Copy of the statement of account was also forwarded to the plaintiff.

In the circumstances there is no defence to the suit. The summons for judgment is made absolute with costs. The interest, however, after the date of filing of the suit shall be at l2% per annum. Refund of court fee as per Rules.

For the purpose of refund of court fee, Prothonotary and Senior Master to act on the copy of this order duly authenticated by the Shirestedar/ Private Secretary.